

BILL NO. G-96-11-13

GENERAL ORDINANCE NO. 12-30-96

AN ORDINANCE REPEALING
THE HUMAN RELATIONS COMMISSION
SPECIFICALLY SECTION 93.050 THROUGH 93.055
OF CHAPTER 93; DISCRIMINATION AND HUMAN RELATIONS
GENERAL REGULATIONS OF THE CITY OF FORT WAYNE
CODE OF ORDINANCES

*Noted by Mayor
12-3-96
Council votes to
override the
Mayor's
Veto
12-17-96*

WHEREAS, currently there is a dispute as to the effectiveness of the Commissioners sitting on the Human Relations Commission, four of whom were appointed by the Mayor and three of whom were appointed by Common Council; and

WHEREAS, the Common Council of the City of Fort Wayne desires to put in place new commissioners, reduce the number of commissioners serving on the Human Relations Commission, establish new term limits and establish a limit to the number of consecutive terms allowed for Commissioners appointed to serve on the Human Relations Commission; and

WHEREAS, Common Council believes it is in the best interest of the residents of the City of Fort Wayne with respect to matters regarding discrimination and human relations to repeal the provisions in the Fort Wayne Code of Ordinances creating the Human Relations Commission whereby eliminating the Commission and eliminating the Commissioner's positions.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The provisions establishing Human Relations Commissions contained in Chapter 93; Discrimination and Human Relations, specifically Sections 93.050 through 93.055 be repealed in their entirety.

SECTION 2. That the effect of this Ordinance is to eliminate the Human Relations Commission and effectively terminate all of the terms of the existing seven Human Relations Commission Commissioners, all of which is effective as of the effective date of this Ordinance.

SECTION 3. This Ordinance shall be effective and in full force and effect on the later to occur of December 31, 1996 or the date of its passage and any and all necessary approval by the Mayor of the City of Fort Wayne.

Thomas Hayhurst

Council Member

APPROVED AS TO FORM AND LEGALITY

Joseph G. Bonahoom

Joseph G. Bonahoom, Attorney for City Council

1 BILL NO. G-96-11-43
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5

GENERAL ORDINANCE NO. G-3096

6 AN ORDINANCE REPEALING
7 THE HUMAN RELATIONS COMMISSION
8 SPECIFICALLY SECTION 93.050 THROUGH 93.055
9 OF CHAPTER 93; DISCRIMINATION AND HUMAN RELATIONS
10 GENERAL REGULATIONS OF THE CITY OF FORT WAYNE
11 CODE OF ORDINANCES
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14 Human Relations Commission, four of whom were appointed by the Mayor and three of whom were
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39 December 31, 1996 or the date of its passage and any and all necessary approval by the Mayor of the City
40 of Fort Wayne.
41

42
43
44 _____
Council Member

45
46 APPROVED AS TO FORM AND LEGALITY
47

48
49 _____
Joseph G. Bonahoom, Attorney for City Council
50

*Motion
to override Veto*

Cloture

Rebecca

2nd

G-96-11-43

G-96-11-44

Read the first time in full and on motion by _____,
and duly adopted, read the second time by title and referred to the
Committee on _____ (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne,, Indiana, on _____, the _____ day of
_____, 19_____, at _____ o'clock
_____, M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by *Edmonds*,
and duly adopted, placed on its passage. PASSED ~~1981~~
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>	<u>1</u>		
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY		<u>✓</u>		
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 12-17-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL)
(SPECIAL) _____ (ZONING) _____ ORDINANCE RESOLUTION NO. 22-30-96
on the 17th day of December, 1996

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

DD Summer
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19_____,
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

Read the first time in full and on motion by Hay Hurst,
and duly adopted, read the second time by title and referred to the
Committee on Regulations (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne,, Indiana, on _____, the _____ day of _____
_____, 19_____, at _____ o'clock
M., E.S.T.

DATED: 11-26-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hay Hurst,
and duly adopted, placed on its passage. PASSED lost
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>5</u>	<u>4</u>		
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST		<u>✓</u>		
HENRY		<u>✓</u>		
LUNSEY		<u>✓</u>		
RAVINE	<u>✓</u>			
SCHMIDT		<u>✓</u>		

DATED: 12-3-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL) _____
(SPECIAL) _____ (ZONING) _____ ORDINANCE RESOLUTION NO. 9-30-96
on the 3rd day of December, 19 96

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
D. Summich
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 4th day of December, 19 96,
at the hour of 11:45 o'clock 7 M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____
19 _____ at the hour of _____ o'clock _____ E.S.T. Paul Helmke

PAUL HELMKE, MAYOR

DEC. -17' 96(TUE) 14:41 ASSOCIATED BROKERS

TEL: 219 424 4889

P. 001

December 18, 1996

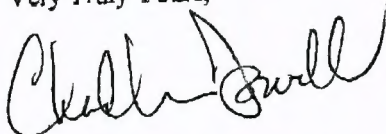
Mr. Donald Schmidt, President
Common Council Fort Wayne Indiana

Dear Don,

In the years that I have served on the Metropolitan Human Relations Commission it has, up until recently, always been a blue ribbon, non partisan, non political commission which made decisions based on the merits of the situation. Regrettably, events of the recent past are no longer in keeping with that standard.

For these reasons, please accept my resignation effective 12/31/96. I look forward to serving the city of Fort Wayne in a more positive role in the future.

Very Truly Yours,



Chad MacDowell, Commissioner
Metropolitan Human Relations Commission

yes	no
1111	11

yes
override
for

1111 11

no
against

pass

BILL NO. G-96-11-43

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~) repealing the Human
Relations Commission - Discrimination and Human Relations General
Regulations of the City of Fort Wayne Code of Ordinances

HAVE HAD SAID (ORDINANCE) (~~XXXXXXX~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~XXXXXXX~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Archie Long

Thomas Hayhurst
Debra Hall
Thomas E. Hayhurst
D. B. Long
James W. Cunningham
Martha A. B. C.

DATED: 12-3-96

Sandra E. Kennedy
City Clerk

NEWS RELEASE

CITY OF FORT WAYNE

PAUL HELMKE, MAYOR



Statement by Mayor Paul Helmke December 13, 1996

After careful consideration, I am vetoing Ordinances G-96-1143 and G-96-1144, which attempt to repeal and then recreate Fort Wayne's Metropolitan Human Relations Commission. My reasons for vetoing the ordinances are as follows:

- 1) G-96-1144 allows for any Metropolitan Human Relations commissioner to be removed without cause. The way the ordinance reads, the City Council or Mayor could remove any of their appointees simply if they did not agree with a decision made by the appointee. In cases of discrimination, this is particularly dangerous. This Commission needs to exercise judgment independent from political pressures which might be brought to bear on the Mayor or Council members. Even if pressures are not exerted, the possibility that they might be exerted could make any decision by the Commission suspect.
- 2) I disagree with term limits being set for Metropolitan Human Relations commissioners. Longevity can be beneficial and I believe the City Council and Mayor are best suited to determine when to let a commissioner's term expire. The terms of three of the seven members expire at the end of this month.
- 3) I am concerned that voiding the existing ordinance would cause delays in approvals from the federal agencies with which the Commission works as well as delays in handling cases.
- 4) I do not believe abolishing the current Commission and creating a new one is the proper way to address the problems facing this agency.

In order to address the concerns regarding the Metropolitan Human Relations Commission, I will take the following action:

- 1) The terms of two of the four commissioners I appointed will expire December 31, 1996 (Fred Eckart and Karen Fowler-Williams). The other terms expire December 31, 1997 (Rheba Knox and John Dortch). I plan to appoint new commissioners when these terms expire. This is not a reflection on the performance of any of the commissioners I have appointed. They have each given a great deal of time to the Metropolitan Human Relations Commission and I know they are dedicated to eliminating discrimination in

Fort Wayne. I think highly of them and thank them for the many hours they have spent serving our community.

Appointing new commissioners will help give the Metropolitan Human Relations Commission a fresh start. New commissioners will not be held back by the conflicts of the past, but will be able to look forward to the future. My appointments will be made at the appropriate time.

- 2) I have asked City Attorney Tim McCaulay to undertake a systematic study of the Metropolitan Human Relations Commission's policies and procedures with the help of members of the community familiar with discrimination law and practice. I will expect them to report back to me in the summer of 1997 with specific recommendations for improving the Commission.

Paul Hill
December 13, 1996
9:30 AM.